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DATE: October 2, 2008

TO: Examiner Sharad K. Rampuria
TC Art Unit: 2617

Fax No.: (571) 273 8300

FROM: Gordon R. Moriarty

No. of pages transmitted
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Our File: BCGIR-010AX

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Application No. 10/795,901
 Filing Date: March 08, 2004
 Confirmation No.: 1538

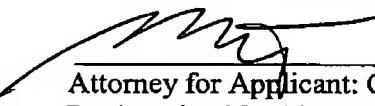
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MESSAGE

PLEASE DELIVER DIRECTLY TO:
 EXAMINER Sharad K. Rampuria, Tel. (571) 272-7870
 TC ART UNIT NO: 2617

FOR ENTRY

Enclosed for filing please find Comments on Statement of Reasons for Allowance
 dated October 2, 2008.

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional
 filing fees associated with this communication or credit any overpayment.



Attorney for Applicant: Gordon R. Moriarty
 Registration No. 38,973

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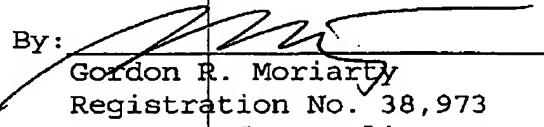
Notice of Allowance Dated: September 23, 2008
Confirmation No.: 1538

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Paul Senn et al.
 Application No. : 10/795,901
 Filed : March 08, 2004
 Confirmation No. : 1538
 For : SYSTEMS AND METHODS FOR PRERATING COSTS FOR
 A COMMUNICATION EVENT
 Examiner : Sharad K. Rampuria
 Attorney's Docket : BCGIR-010AX

TC Art Unit: 2617

*
 I hereby certify that this correspondence is being sent via
 facsimile to Examiner Sharad K. Rampuria, TC Art Unit 2617, Fax
 No. (571) 273 8300, on 2 Oct 2008.

By: 
 Gordon R. Moriarty
 Registration No. 38,973
 Attorney for Applicants

* *

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Via Facsimile
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance dated September 23, 2008, Applicant submits the following comments and request for consideration of the Information Disclosure Statement (IDS) dated March 8, 2004.

BEST AVAILABLE COPY

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Filed: March 08, 2004
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COMMENTS

In the Notice of Allowance, the Examiner indicates that the IDS filed March 8, 2004 fails to comply with 37 CFR §1.98(a)(2) which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed.

In reply, Applicant quotes 37 CFR §1.98(d) :

(d) A copy of any patent, publication, pending U.S. application or other information, as specified in paragraph (a) of this section, listed in an information disclosure statement is required to be provided, even if the patent, publication, pending U.S. application or other information was previously submitted to, or cited by, the Office in an earlier application, unless:

(1) The earlier application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. 120; and

(2) The information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this section.

In a telephone conversation held September 5, 2008 between the Examiner and Applicant's below-signing attorney, it was pointed out to the Examiner that the cover sheet to the IDS at issue states: "Copies of the patents and publications are not enclosed as they were provided with Application No. 09/371,176 filed 11 August 1999 and now U.S. Patent 6,704,563."

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U.S. Pat. Appl. No. 09/371,176 is listed on Page 4 of the Application Data Sheet accompanying the Utility Patent Application Transmittal form filed with the instant patent application on March 8, 2004 under the heading "Domestic Priority Information." Additionally, on page 1 of the instant patent application, it is stated: "This application is a continuation of U.S.S.N. 09/371,176, filed August 11, 1999 and now U.S. Patent 6,704,563, which claims priority to U.S.S.N. 60/096,065, filed 11 August 1998, the contents of all of which are hereby incorporated by reference."

To the best of Applicant's knowledge, all of the requirements of 37 CFR §1.98(a) through (c) have been complied with in the referenced priority application, U.S. Pat. Appl. No. 09/371,176 (U.S. Pat. No. 6,704,563). It is noted that the references at issue are listed on pages 1 through 6 of the issued patent.

Consequently, all requirements of 37 CFR §1.98(d) have been complied with. It is respectfully submitted that the Examiner's reliance upon 37 CFR §1.98(a)(2) is in error. Applicant requests that the Examiner provide an indication that all cited references have been considered and that evidence of such consideration shall appear on the patent once issued.

In another telephone call between the Examiner and Applicant's representative held on September 4, 2008, the Examiner indicated that one page of the IDS at issue included the incorrect

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serial number in the caption. Specifically, one page lists "09/371,176" as the "Application Number". Applicant's representation requested that the Examiner correct this, if necessary, by Examiner's Amendment as being an obvious informality in the application. The page bearing the mis-identified application serial number is one of many other 1449's that are correctly identified and which are accompanied by an Information Disclosure Statement letter that accurately identifies the application serial number. Applicant respectfully submits that this is an example of an obvious informality and as such requests that the Examiner correct the serial number via examiner's amendment (ref. MPEP §1302.4).

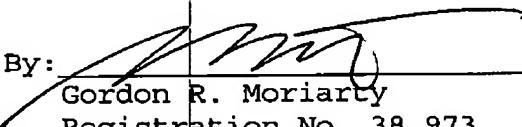
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In view of the foregoing, it is respectfully requested that all of the references cited in this application be considered, and that an indication of such consideration be evident in the patent once issued. Any questions regarding this submission should be directed to the below-signing attorney of record.

Respectfully submitted,

Paul Senn et al.

By:


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